

Application Serial No.: 09/646,343
Amendment dated December 1, 2003
Reply to Office Action dated August 29, 2003

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-20 are presently active in this case, Claim 16 having been amended and Claims 17-20 having been added by way of the present Amendment.

Claims 1-15 have been allowed.

In the outstanding Official Action, Claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et al. (U.S. Patent No. 5,304,248) in view of Hayakawa et al. (U.S. Patent No. 5,383,971) and in view of Mayeda et al. (U.S. Patent No. 5,635,244). For the reasons discussed below, the Applicants respectfully request the withdrawal of the obviousness rejection.

The Applicant submits that a *prima facie* case of obviousness as defined in MPEP 2143 cannot be established in the present case because the cited references, either taken singularly or in combination, do not teach or suggest all of the claim limitations.

The Applicants submit that the cited references fail to disclose or suggest a film deposition apparatus comprising, among other features, a gas flow path *defined by* a clamp, a second heating apparatus, and a mounting table, as recited in Claim 16 of the present application. The Cheng et al. reference is cited in the Official Action for the teaching of a first flow path as indicated by the upwards arrows in Figure 5, where the first flow path is

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formed between the susceptor (40) and the support (70/76) provided for the clamp. The flow path recited in amended Claim 16 is recited as being defined by the clamp, the second heating apparatus, and the mounting table. The Applicants respectfully submit that the Cheng et al. reference does not disclose a flow path *defined by* the susceptor (40) and the support (70/76)(assuming solely for the sake of argument that the support 70/76 is being properly cited in combination with a secondary reference for the teaching of the second heating apparatus of Claim 1). The Hayakawa et al. and Mayeda et al. references fail to supplement this deficiency. Thus, the Applicants request the withdrawal of the obviousness rejection of Claim 16.

Newly added Claims 17-19 include the subject matter of dependent Claims 2 (with a minor change to provide proper antecedent basis to “gas flow path”), 13, and 14, and Claims 17-19 are considered allowable for the reasons advanced for Claim 16 from which they depend. Newly added Claim 20 includes the limitation of “a gas flow path defined by the clamp, the second heating apparatus, and the mounting table,” and thus Claim 20 is considered to be allowable for the reasons discussed above with respect to Claim 16.

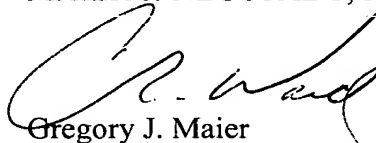
The Applicants respectfully request entry of the amendments set forth herein as the amendments clearly place the application into condition for allowance.

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Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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